

REMARKS

I. Introduction

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 3-5, 7-11 and 14 are canceled. The cancellation of claims does not constitute acquiescence in the propriety of any rejection set forth by the Examiner. Applicants reserve the right to pursue the subject matter of the canceled claims in subsequent divisional applications.

Claims 2 and 13 are currently amended.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Upon entry of this Amendment, claims 2, 6 and 12-13 are under examination. Claims 2 and 6 are withdrawn. Applicants request reconsideration for rejoinder of the withdrawn claims upon allowance of the other claims.

II. Response to Claim Rejections and Objections

a. Claim Rejections under 35 U.S.C. § 112, First Paragraph

The Office rejected claims 13-14 under 35 U.S.C. § 112 first paragraph, for the alleged lack of enablement “because the specification, while enabling for the treatment of Hepatitis C, does not reasonably provide enablement for treating any and/or all infectious diseases caused by hepatitis C, as claimed. Office Action, p. 2. Applicants note that the Office has conceded the specification is enabled for the treatment of hepatitis C and “An amendment which limits the method of use claims to treating Hepatitis C, would overcome this rejection.” Office Action, p. 4. Without acquiescence to the Office’s rejection and solely to further prosecution, Applicants have amended claim 13 to a method of treating hepatitis C and canceled claim 14. As the Office has conceded the enablement of the current claims, Applicants respectfully requests reconsideration and withdrawal of the rejections.

CONCLUSION

The present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

It is acknowledged that the foregoing amendments are submitted after final rejection. However, because the amendments do not introduce new matter or raise new issues, and because the amendments either place the application in condition for allowance or at least in better condition for appeal, entry thereof by the Examiner is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant(s) hereby petition(s) for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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